

# update

Michael J. O'Connor, President

February 16, 2018

[www.vpcga.com](http://www.vpcga.com)

## Strauss Scholarship Applications Now Accepted

Applications are being accepted for the 2018 S. Frank Strauss Scholarship Program. This program was established in the 1970's in recognition of Mr. Frank Strauss, who was the long time executive director of the Virginia Food Dealers Association. This program is open to VPCGA members, their employees and the children of VPCGA employees. Awards are made after review by the Association's scholarship committee, which considers need as well as academic achievement in their evaluation. Recipients must be high school graduates by June of this year and attend a post secondary institution of higher education in the fall of 2018. You can view the [application here](#). Complete applications must be received by April 15. You may also post [this flyer](#) for your employees.

---

## New EPCRA Tier 2 Form Information Required

*From PMAA*

Major changes have been made to the EPCRA Tier 2 form this year. The new EPCRA forms now require information on the "physical hazards" and "health hazards" of each product (gasoline, diesel fuel etc.) stored on site that meets the minimum reporting threshold trigger (10,000 lbs). Physical hazards and health hazards information must be obtained from the SDS product information sheet provided by your supplier. Use only product information sheets labelled "Safety Data Sheet" at the top for this information. Do not use product information sheets labelled "Material Safety Data Sheet" at the top. Suppliers are required to provide a copy of the most recent SDS for each product sold to downstream petroleum marketers. Suppliers often post SDS sheets on their websites.

The physical hazards and health hazards categories appear as two separate columns on the new EPCRA Tier 2 Form. Under each column, a series of hazards are listed next to check off boxes. Petroleum products including gasoline, diesel fuel, heating oil, kerosene, etc. generally share common physical hazards and health hazards. Check off the following boxes under each column on the lower half of the form used for reporting "Mixture or Product Name" (check corresponding product SDS for any variation):

Physical Hazards - Under the "physical hazard" column on Tier 2 form check off the boxes marked:

- "explosive" and
- "flammable"

Health Hazards - On the EPCRA Tier 2 form, under the "health hazard" column, check off the boxes marked:

- "skin corrosion or irritation"
- "serious eye damage or irritation"
- "respiratory or skin sensitization"
- "carcinogenicity"
- "reproduction toxicity" and
- "aspiration hazard"

EPCRA PAPER FORMS AND ELECTRONIC SUBMISSION SOFTWARE:

- EPCRA Tier 2 forms for paper filing may be downloaded here: [EPCRA Forms](#).
- Most states require EPCRA reports be filed electronically and have adopted the EPA's Tier2 Submit electronic filing portal. Tier2 Submit electronic filing for Windows and Macintosh applications may be downloaded here: [EPCRA Electronic Filing](#).
- An electronic filing tutorial may be downloaded here: [Electronic Filing Tutorial](#).
- A complete list of state EPCRA Tier 2 requirements and procedures can be downloaded here: [State EPCRA Requirements](#).

EPCRA CAS NUMBERS:

- The following CAS designations (from safety data sheets) must also be included on EPCRA Tier 2 reports;
  - Gasoline (CAS 8006-61-9)
  - Diesel Fuel (CAS 68334-30-5)
  - Kerosene (CAS 8008-20-6)
  - Fuel Oil (CAS 68334-30-5)
  - Aviation Gasoline (CAS Mixture)
  - Jet A (CAS Mixture)
  - JP 8 (CAS Mixture)

#### EPCRA NAICS CODE:

- Standard Industrial Classification (SIC) codes can no longer be used to describe facilities on EPCRA Tier 2 reports. Instead, North American Industrial Classification System (NAICS) codes must be used. Applicable NAICS codes for the petroleum marketing industry include:
  - Petroleum Bulk plants - NAICS 424710
  - Heating Oil Dealers - NAICS 454310
  - Retail Gasoline Stations with Convenience Stores - NAICS 447110
  - Retail Gasoline Stations without Convenience Stores - NAICS 447190
  - Cardlock Sites - NAICS 447190

#### DUN AND BRADSTREET NUMBER:

- To find your Dun and Bradstreet number go to: [My Dun and Bradstreet Number.](#)

#### PENALTY FOR FAILURE TO FILE EPCRA TIER 2:

- The EPA fine for violating EPCRA Tier 2 reporting is \$10,000 to \$75,000 per day, per violation. EPA checks for filing of EPCA Tier 2 reports during routine compliance audits or after a release

#### OTHER RECENT ADDITIONS TO TIER 2 FORM:

EPCRA Tier 2 forms now ask whether the facility is subject to emergency planning under Section 302 of EPCRA (Toxic Release Inventory or TRI) or the chemical accident prevention requirements under 112r of the Clean Air Act (Risk Management Program or RMP). For small bulk plant operators the answer to these questions is almost always "NO". Typically, small petroleum bulk plants operated by petroleum marketers located downstream of the terminal rack are NOT subject to TRI or RMP. While these small bulk plants must comply with Spill Prevention Control and Countermeasure (SPCC) this is not the same as TRI or RMP.

---

## **SE Petro-Food Show Three Weeks Away**

Registration is open for the SE Petro-Food Expo to be held March 7th & 8th, three weeks away, at the Myrtle Beach Convention Center, Myrtle Beach, SC. The tradeshow, which we co-host with North and South Carolina associations, will feature exhibits by manufactures, suppliers and distributors of products and services used in the operation of bulk plants, convenience stores, major oil companies, car washes, service stations, transport carriers, environmental services and others which will include many of our VPCGA associate members. The show also features free educational seminars. This event is a great way to network, meet and connect with the retail industry's leaders and innovators, as well as see and learn about the latest technology trends and products. For more information and/or to register to attend the tradeshow, visit the link below. VPCGA will again be hosting our reception in the McNair Suite, our hospitality room, on Wednesday after the tradeshow. We

hope to see you there.

For more information or to register to attend, [click here](#).